

Introduced by Senator Alpert

January 23, 2001

An act to amend Sections 2069 and 2070 of the Business and Professions Code, relating to medical assistants.

LEGISLATIVE COUNSEL'S DIGEST

SB 111, as introduced, Alpert. Medical assistants.

Existing law authorizes a medical assistant to perform specified services relating to administration of medication, performance of skin tests and simple routine medical tasks and procedures, and performance of venipuncture or skin puncture for withdrawing blood, upon specific authorization from and under the supervision of a licensed physician and surgeon, podiatrist, or a physician and surgeon or podiatrist group or corporation. Pursuant to existing law, the specific authorization is required to come from a supervising physician and surgeon or podiatrist, and supervision by a licensed physician and surgeon or podiatrist is required to be within the scope of his or her practice.

This bill would also authorize a medical assistant to perform the above services in specified clinics for a physician assistant, nurse practitioner, or nurse-midwife. In those cases, the bill would provide that specific authorization for the services would be given by a physician assistant, nurse practitioner, or nurse-midwife, and supervision over the services would be performed by a physician assistant, nurse practitioner, or nurse-midwife.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 2069 of the Business and Professions Code is amended to read:

2069. (a) Notwithstanding any other provision of law, a medical assistant may administer medication only by intradermal, subcutaneous, or intramuscular injections and perform skin tests and additional technical supportive services upon the specific authorization and supervision of a licensed physician and surgeon or a licensed podiatrist, *and a medical assistant may also perform all these tasks and services in a clinic licensed pursuant to subdivision (a) of Section 1204 of the Health and Safety Code upon the specific authorization of a physician assistant, a nurse practitioner, or a nurse-midwife.*

(b) As used in this section and Sections 2070 and 2071, the following definitions shall apply:

(1) “Medical assistant” means a person who may be unlicensed, who performs basic administrative, clerical, and technical supportive services in compliance with this section and Section 2070 for a licensed physician and surgeon or a licensed podiatrist, or group thereof, for a medical or podiatry corporation; *for a physician assistant, a nurse practitioner, or a nurse-midwife as provided in subdivision (a),* or for a health care service plan, who is at least 18 years of age, and who has had at least the minimum amount of hours of appropriate training pursuant to standards established by the Division of Licensing. The medical assistant shall be issued a certificate by the training institution or instructor indicating satisfactory completion of the required training. A copy of the certificate shall be retained as a record by each employer of the medical assistant.

(2) “Specific authorization” means a specific written order prepared by the supervising physician and surgeon or the supervising podiatrist, *or the physician assistant, the nurse practitioner, or the nurse-midwife as provided in subdivision (a)* authorizing the procedures to be performed on a patient, which shall be placed in the patient’s medical record; or a standing order prepared by the supervising physician and surgeon or the supervising podiatrist authorizing the procedures to be performed, the duration of which shall be consistent with accepted medical

1 practice. A notation of the standing order shall be placed on the
2 patient's medical record.

3 (3) "Supervision" means the supervision of procedures
4 authorized by this section by ~~a licensed physician and surgeon or~~
5 ~~by a licensed podiatrist, within the scope of his or her practice the~~
6 *following practitioners, within the scope of their respective*
7 *practices*, who shall be physically present in the treatment facility
8 during the performance of those procedures.:

9 (A) *A licensed physician and surgeon.*

10 (B) *A licensed podiatrist.*

11 (C) *A physician assistant, nurse practitioner, or nurse-midwife*
12 *as provided in subdivision (a).*

13 (4) "Technical supportive services" means simple routine
14 medical tasks and procedures that may be safely performed by a
15 medical assistant who has limited training and who functions
16 under the supervision of a licensed physician and surgeon or a
17 licensed podiatrist; *or a physician assistant, a nurse practitioner,*
18 *or a nurse-midwife as provided in subdivision (a).*

19 (c) Nothing in this section shall be construed as authorizing the
20 licensure of medical assistants. Nothing in this section shall be
21 construed as authorizing the administration of local anesthetic
22 agents by a medical assistant. Nothing in this section shall be
23 construed as authorizing the division to adopt any regulations that
24 violate the prohibitions on diagnosis or treatment in Section 2052.

25 (d) Notwithstanding any other provision of law, a medical
26 assistant may not be employed for inpatient care in a licensed
27 general acute care hospital as defined in subdivision (a) of Section
28 1250 of the Health and Safety Code.

29 SEC. 2. Section 2070 of the Business and Professions Code
30 is amended to read:

31 2070. Notwithstanding any other provision of law, a medical
32 assistant may perform venipuncture or skin puncture for the
33 purposes of withdrawing blood upon specific authorization and
34 under the supervision of a licensed physician and surgeon or a
35 licensed podiatrist; *or a physician assistant, a nurse practitioner,*
36 *or a nurse-midwife as provided in subdivision (a) of Section 2069,*
37 if prior thereto the medical assistant has had at least the minimum
38 amount of hours of appropriate training pursuant to standards
39 established by the Division of Licensing. The medical assistant
40 shall be issued a certificate by the training institution or instructor

- 1 indicating satisfactory completion of the training required. A copy
- 2 of the certificate shall be retained as a record by each employer of
- 3 the medical assistant.

